

chapter 1

BACKGROUND

Two Laws, Common Goals

Transportation is nothing more or less than the means to connect Land Use A to Land Use B: home to work, manufacturer to supplier, or skier's residence to ski resort. This means that transportation and land use planning are tightly bound. Transportation systems influence most important land use decisions, and thus shape communities, regions, and their economies. In turn, if a transportation system is not working well, there often is something wrong with the arrangement of land uses. To paraphrase a common saying, if the transportation (or land use) system sneezes, the land use (or transportation) system catches a cold.

The nation made huge investments in the highway system during the 20th Century, and use of the automobile, a marvel of personal transportation, re-shaped metropolitan areas and regional landscapes. But now we have an expansive – and aging – infrastructure to maintain and insufficient funding to do so. As a result, expansion of the system will become less common in the foreseeable future and will increasingly have to compete with maintenance needs.

So transportation planners are focusing more sharply than ever on trying to manage demands on the system – and this leads back to land use. More efficient land use translates into a smaller burden on the state highway system.

But aligning transportation and land use decisions is tricky, partly because these decisions are made in very different ways. The backbone of the transportation network – arterial and collector roads, interchanges, freight systems, sea ports and airports – is by nature regional, and State and Federal policies, programs, and funds drive decisions about the network. Land use decisions, on the other hand, are made one at a time, parcel by parcel, and are by their nature local. They are largely in the hands of individual property owners and local officials.

These two ways of making decisions often ricochet off each other, producing powerful impacts on communities and transportation systems alike, but without fully anticipating the effects. Now, in the face of energy costs, the costs of maintaining the transportation system, and frequent conflicts over land use and quality of life, it is urgent that each takes the other into full account.

TWO LAWS, COMMON GOALS

In 1991 Maine voters adopted the Sensible Transportation Policy Act (STPA)¹ to help reduce demands on the highway system. In 2003 and 2007, the State Legislature amended the Act to mandate a better connection between transportation and land use planning – and, specifically, between the STPA and the State’s Growth Management Act.² The common goals of the two laws include facilitating orderly growth and development, promoting economic development, reducing impacts on natural and cultural resources, and providing better solutions to transportation problems. Importantly, both laws recognize that transportation and land use patterns operate at a regional scale, and both encourage inter-community planning, financing, and regulation.

Sensible Transportation Policy Act

When transportation mobility needs arise, the [Sensible Transportation Policy Act](#) (as well as federal law) requires an evaluation of a full range of alternatives before choosing to expand the capacity of the highway system. It gives preference to options like managing traffic and providing public transportation if those options are available and feasible. It requires the integration of land use planning with transportation planning, and promotes energy efficiency. And it directs decision-makers to take into account the transportation needs of both urban and rural areas, and of people of different ages and means.

While in place since 1991, the Act and its [implementing rule](#) now affect communities much more directly. First, its rule has become the guiding document for the transportation section of local comprehensive plans. It sets the standards for the strategies that constitute an acceptable transportation section. This manual is offered to help communities meet the standards.

Second, as directed by the Legislature, MaineDOT has created incentives for community transportation planning. To be eligible, a municipality, on its own or preferably with neighboring communities, must adopt a Community Transportation Plan that clearly plans for development, especially where it impacts state transportation corridors. The land use strategies that are part of this plan must reduce the need to make costly transportation improvements – now and in the future – and must be incorporated into local ordinances. The Community Transportation Plan can stand alone, be part of a community’s own Comprehensive Plan, or be part of a multi-municipal Comprehensive Plan adopted under the Growth Management Act.

¹ The Sensible Transportation Policy Act can be found at Title 23, MRSA, Section 73. The 2003 amendment required the Department to adopt a rule in coordination with the State Planning Office that links transportation and land use planning processes. The 2007 amendment provided for incentives to adopt local and regional community transportation plans that employ land use strategies to reduce pressure on state transportation corridors.

² Title 30-A, MRSA, Chapter 187

In addition, MaineDOT sponsors the creation of regional multi-modal corridor management plans where several municipalities along a transportation corridor may collaborate to identify the transportation and land use management priorities to keep the corridor functioning at an optimal level.

Growth Management Act

Adopted in 1988 and amended several times since, the [Growth Management Act](#) and its [implementing rule](#) establish statewide goals and guidelines for preparing municipal and multi-municipal comprehensive plans. These plans provide the legal basis for local zoning and certain other land use ordinances. At the core of a town's Comprehensive Plan is a Future Land Use Plan, which is meant to provide for orderly growth and development in the community and region.

As noted, the transportation element of the Comprehensive Plan can serve as the Community Transportation Plan. The transportation element and the Future Land Use Plan are intended to work in sync, with land use policies designed to reduce pressures on the transportation system and to create choices in how people move about a neighborhood, the community and region.

HOW TO GET STARTED

This handbook will provide you with the information you need to prepare a Community Transportation Plan, whether stand-alone or as an element of a Comprehensive Plan. Besides reading the handbook, a good place to get started is a consultation with your Regional Council, which has helped MaineDOT establish the transportation, land use and economic objectives of key transportation corridors in your region and serves as a state-local liaison (more on the Regional Councils can be found in Chapter 2). Technical assistance also is available from both MaineDOT:

Community Services Division
Bureau of Transportation Systems Planning
Tel: 1-800-498-9133
e-mail: localweb@maine.gov

and the Maine State Planning Office:

Land Use Team
Tel: 1-800-662-4545 or (207) 287-6077
www.maine.gov/spo/landuse/about/commentsform.htm
e-mail: phil.carey@maine.gov

